

UNITED STATES DISTRICT COURT, DISTRICT OF NEW MEXICO

SENTENCING MINUTE SHEET

CR No.	05-1849 JH			USA vs.	Hotthan		
Date:	July 29, 2008			Name of Deft:	Matthew Hotthan		
Before the Honorable				Judith C. Herrera			
Time In/Out:	11:43 a.m. - 12:03 a.m. (20 minutes)			Type of Proceeding:	Sentencing - Non Evidentiary		
Clerk:	I. Duran			Court Reporter:	P. Baca		
AUSA:	James Braun			Defendant's Counsel:	Stephen D. Aarons		
Sentencing in:	Albuquerque, New Mexico			Interpreter:	None		
Probation Officer:	Anthony Galaz			Sworn?	<input type="checkbox"/>	Yes	<input type="checkbox"/> No
Convicted on:	<input checked="" type="checkbox"/>	Plea	<input type="checkbox"/>	Verdict	As to:	<input checked="" type="checkbox"/>	Information <input type="checkbox"/> Indictment <input type="checkbox"/>
If Plea:	<input checked="" type="checkbox"/>	Accepted	<input type="checkbox"/>	Not Accepted	Adjudged/Found Guilty on Counts:		
Date of Plea/Verdict:	June 6, 2007			PSR:	<input checked="" type="checkbox"/>	Not Disputed	<input type="checkbox"/> Disputed
PSR:	<input checked="" type="checkbox"/>	Court Adopts PSR Findings			Evidentiary Hearing:	<input checked="" type="checkbox"/>	Not Needed <input type="checkbox"/> Needed <input type="checkbox"/>
Exceptions to PSR:							
SENTENCE IMPOSED				Imprisonment (BOP): 953 days or time served, whichever is less			
Supervised Release:	3 years			Probation:			500-Hour Drug Program
SPECIAL CONDITIONS OF SUPERVISION							
<input type="checkbox"/>	No re-entry without legal authorization			<input type="checkbox"/>	Home confinement for _____ months _____ days		
<input type="checkbox"/>	Comply with ICE laws and regulations			<input type="checkbox"/>	Community service for _____ months _____ days		
<input type="checkbox"/>	ICE to begin removal immediately or during sentence			<input type="checkbox"/>	Reside halfway house _____ months _____ days		
<input checked="" type="checkbox"/>	Participate in substance abuse program/drug testing			<input type="checkbox"/>	Register as sex offender		
<input checked="" type="checkbox"/>	Participate in mental health program			<input type="checkbox"/>	Participate in sex offender treatment program		
<input checked="" type="checkbox"/>	No alcohol/liquor establishments			<input type="checkbox"/>	Possess no sexual material		
<input checked="" type="checkbox"/>	Submit to search of person/property			<input type="checkbox"/>	No computer with access to online services		
<input checked="" type="checkbox"/>	No contact with co-Deft(s)			<input type="checkbox"/>	No contact with children under 18 years		
<input type="checkbox"/>	No entering, or loitering near, victim's residence			<input type="checkbox"/>	No volunteering where children supervised		
<input type="checkbox"/>	Provide financial information			<input type="checkbox"/>	Restricted from occupation with access to children		
<input type="checkbox"/>	Grant limited waiver of confidentiality			<input type="checkbox"/>	No loitering within 100 feet of school yards		
<input checked="" type="checkbox"/>	OTHER: Standard & Mandatory Conditions: Participate & submit in DNA collection; No firearms; Deft shall reside at the Halfway House for 37 days as a condition.						
Fine:	\$	0			Restitution:	\$	
SPA:	\$	100.00 (\$100 as to each Count)			Payment Schedule:	<input checked="" type="checkbox"/>	Due Immediately <input type="checkbox"/> Waived <input type="checkbox"/>
OTHER:							
<input checked="" type="checkbox"/>	Advised of Right to Appeal			<input type="checkbox"/>	Waived Appeal Rights per Plea Agreement		
<input checked="" type="checkbox"/>	Held in Custody			<input type="checkbox"/>	Voluntary Surrender		
	Recommended place(s) of incarceration:						
	Dismissed Counts:						

OTHER COMMENTS	Defense counsel addresses Ct. & has no objections to PSR. Ct. accepts deft's plea of guilty. Defense asks for a minor variance of less than 30 days. Defense notes his progress at Halfway House & requests that the deft be allowed to leave the Halfway House to work at other employment. Defense tenders an evaluation on deft's progress. Deft addresses Ct. Ct. notes deft's family present in Court. Govt. addresses Ct. & does not oppose a sentence of time-served. Probation approaches bench.. Bench conference held. Ct has reviewed PSR & findings & considers sentencing guidelines & 3553 factors. Ct. notes deft's history & characteristics. Ct. grants a variance under 3553. Ct. imposes sentence. Deft will stay at La Pasada for 37 days as a condition.
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